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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/525,619
		Filing Date	February 25, 2005
		First Named Inventor	Klaus Biester
		Art Unit	3747
		Examiner Name	
Total Number of Pages in This Submission	5	Attorney Docket Number	1600-11600 DAR

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  <i>PTO 1449 Form (2 p.) 3 References</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm	CONLEY ROSE, P. C.	
Signature		
Printed name	DAVID A. ROSE	
Date	October 25, 2005	Reg. No. 26,223

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or Printed Name	M. A. CRABTREE		
Signature		Date	October 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KLAUS BIESTER	§	ART UNIT: 3747
	§	
SERIAL NO.: 10/525,619	§	
	§	EXAMINER:
FILED: February 25, 2005	§	
	§	CONFIRMATION NO.: 7781
FOR: THROTTLE DEVICE	§	

INFORMATION DISCLOSURE STATEMENT

Atty. Dkt. No.: 1600-11600  
Clt. Ref. No.: OTE-030476  
Date: October 24, 2005

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement, including completed Form PTO-1449, comprises a list of pertinent art of which Applicants are aware.

The submission of this Information Disclosure Statement and the references submitted therewith is not an admission that the art cited is "prior" with respect to the present invention, nor is it a representation, that no better art exists. Applicants hereby reserve the right to swear behind or otherwise disprove any alleged "prior" nature of any art cited should the facts support and the situation warrant such an action. It is submitted that the art cited does not constitute a bar to the patentability of Applicants' invention under 35 U.S.C. § 102 or § 103.

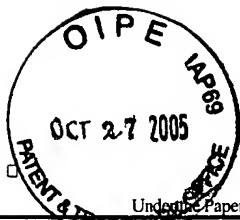
No Office Action on the merits has been received in the present application, and Applicant believes that no fee is due. In the event that an Office Action dated prior to the mailing date of this Information Disclosure Statement has been issued, please charge Deposit Account 03-2769, Conley Rose, P.C., in the amount of \$180, so that this Information Disclosure Statement may be considered under Rule 1.97(c).

Each item provided herewith was first cited in the PCT International Search Report for PCT/EP03/09698 dated February 24, 2004 which is a foreign counterpart application of the above-styled matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. A. Rose', is positioned above a horizontal line.

DAVID A. ROSE  
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P. O. Box 3267  
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ATTORNEY/AGENT FOR APPLICANT



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/525,619	
			Filing Date	February 25, 2005	
			First Named Inventor	Klaus Biester	
			Group Art Unit	3747	
			Examiner Name		
Sheet	1	of	2	Attorney Docket Number	1600-11600 DAR

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2,751,022	06-19-1956	<i>Baker, et al</i>	
	AB	US-2,920,863	01-12-1960	<i>Tiraspolsky</i>	
	AC	US-2,952,484	09-13-1960	<i>Tiraspolsky et al</i>	
	AD	US-3,637,188	01-25-1972	<i>Ung</i>	
	AD	US-4,638,833	01-27-1987	<i>Wolcott, II</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AD	GB 625 698	07-01-1949	<i>Kendrick, et al</i>		
	AE	GB 925 787	05-08-1963	<i>Hydrel</i>		

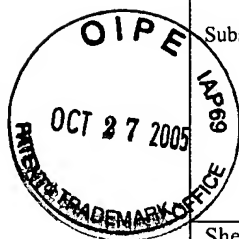
Examiner Signature		Date Considered	
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\*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

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Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

**Complete if Known**

<b>Application Number</b>	10/525,619
<b>Filing Date</b>	February 25, 2005
<b>First Named Inventor</b>	Klaus Biester
<b>Group Art Unit</b>	3747
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	1600-11600

Sheet

2

of

2

Attorney Docket Number

1600-11600

## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Dated Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. Send To Commissioner For Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

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